IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

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WRIT PETITION NO : 16425 of 2004

Between:

1 Palicherla Laxmi, W/o. Muralikrishna Reddy, Cooking Agent
(Under orders of removal), R/o. Patasingarabotlapalem (V & P), Ponnalur

(SO), Prakasam District.
2 Koniki Subbaratnam, W/o. Venkatasubbaiah, Cooking Agent,
(Under orders of removal), R/o. V.K.Kantrika (V & P), Ponnalur (SO),
Prakasam District.

..... PETITIONERS

AND

1 The Joint Collector, Prakasam District, Ongole.
2 The Mandal Revenue Officer, Ponnalur, Prakasam District.
3 The Mandal Education Officer, Ponnalur, Prakasam District.
4 Guttikonda Adilaxmi, W/o. and age not known, Cooking Agent,
M.P.P. School, Patasingarabotlapalem, Prakasam Distirct.
5 Daddala Rajeswari, W/o. and age not known, Cooking Agent,
M.P.P. School, V.K. Kantrika Village and Post, Prakasam Distirct.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more particularly one in the nature of writ of Mandamus declaring the action of the second respondent in issuing the impugned proceedings No. A/198/04, dated 25-08-2004 as contrary to the guidelines and set aside the same as illegal, arbitrary, violation of articles 14, and 21 of the constitution of India.

Counsel for the Petitioner:MR.C.SRINIVASA BABA
Counsel for the Respondent Nos.1 to 3: GP FOR REVENUE

The Court at the stage of admission made the following O R D E R:

The petitioners were appointed as Cooking Agents (Implementing Agency) for implementation of the Mid-Day Meal Scheme/Programme for the children of Class-I to Class-VII at different places. On the allegation that the petitioners are not performing their duties properly and causing disturbance to the Mid-Day Meal Scheme/Programme, the third respondent appointed the fourth and fifth respondents as implementing agency by removing the petitioners through impugned proceedings dated 25-08-2004. Questioning the same, the present writ petition is filed.

The first respondent-Joint Collector, Ongole, Prakasam District, is the competent authority to monitor the appointment of implementing agency and the petitioners already moved the first respondent with their representations and the first respondent called for the reports from the second respondent-Mandal Revenue Officer, Ponnalur, Prakasam district along with records. It is stated by the petitioners in the affidavit that the second respondent directed the lower authorities to implement his order. If that be the case, it is for the first respondent to consider the representations of the petitioners and pass appropriate orders. Since the matter before the first respondent is already pending, the present writ petition cannot be entertained.

In view of the same, the first respondent is hereby directed to pass appropriate orders on the representations made by the petitioners after receiving the report from the second respondent.

The writ petition is accordingly disposed of. No costs.

14th SEPTEMBER, 2004.

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To

1 The Joint Collector, Prakasam District, Ongole.
2 The Mandal Revenue Officer, Ponnalur, Prakasam District.
3 The Mandal Education Officer, Ponnalur, Prakasam District.
4 Two C.Cs to the Government Pleader for Revenue, High Court of A.P.,

Hyderabad.(OUT)

5 Two C.D copies